

CHAPTER REFERRED TO IN OTHER SECTIONS

This chapter is referred to in sections 1605, 1645, 1732, 2842 of this title; title 20 sections 5934, 6143; title 38 sections 3452, 3501.

§ 50. Promotion of labor standards of apprenticeship

The Secretary of Labor is authorized and directed to formulate and promote the furtherance of labor standards necessary to safeguard the welfare of apprentices, to extend the application of such standards by encouraging the inclusion thereof in contracts of apprenticeship, to bring together employers and labor for the formulation of programs of apprenticeship, to cooperate with State agencies engaged in the formulation and promotion of standards of apprenticeship, and to cooperate with the Secretary of Education in accordance with section 17 of title 20. For the purposes of this chapter the term "State" shall include the District of Columbia.

(Aug. 16, 1937, ch. 663, § 1, 50 Stat. 664; 1939 Reorg. Plan No. 1, §§ 201, 204, 206, eff. July 1, 1939, 4 F.R. 2728, 53 Stat. 1424, 1425; July 12, 1943, ch. 221, title VII, 57 Stat. 518; 1953 Reorg. Plan No. 1, §§ 5, 8, eff. Apr. 11, 1953, 18 F.R. 2053, 67 Stat. 631; Pub. L. 93-198, title II, § 204(h), Dec. 24, 1973, 87 Stat. 784; Pub. L. 96-88, title III, § 301(a)(1), Oct. 17, 1979, 93 Stat. 677.)

REFERENCES IN TEXT

Section 17 of title 20, referred to in text, was repealed by Pub. L. 89-554, § 8(a), Sept. 6, 1966, 80 Stat. 643.

CODIFICATION

Words "with the National Youth Administration" were omitted from text in view of abolition of National Youth Administration by act July 12, 1943.

AMENDMENTS

1973—Pub. L. 93-198 inserted provision that "State" includes the District of Columbia.

EFFECTIVE DATE OF 1973 AMENDMENT

Amendment by Pub. L. 93-198 effective July 1, 1974, see section 771(b) of Pub. L. 93-198, set out in part as a note under section 49b of this title.

SHORT TITLE

The act of Aug. 16, 1937, ch. 663, 50 Stat. 664, which enacted this chapter, is popularly known as the "National Apprenticeship Act".

TRANSFER OF FUNCTIONS

"Secretary of Education" substituted in text for "Office of Education under the Department of Health, Education, and Welfare", pursuant to section 301(a)(1) of Pub. L. 96-88, which is classified to section 3441(a)(1) of Title 20, Education, and which transferred all functions of Office of Education to Secretary of Education.

Functions of Federal Security Administrator transferred to Secretary of Health, Education, and Welfare and all agencies of Federal Security Agency transferred to Department of Health, Education, and Welfare by section 5 of Reorg. Plan No. 1 of 1953, set out in the Appendix to Title 5, Government Organization and Employees. Federal Security Agency and office of Administrator abolished by section 8 of Reorg. Plan No. 1 of 1953.

Reorg. Plan No. 1 of 1939, consolidated National Youth Administration and Office of Education, with other agencies, into Federal Security Agency under supervision and direction of Federal Security Administrator.

§ 50a. Publication of information; national advisory committees

The Secretary of Labor may publish information relating to existing and proposed labor standards of apprenticeship, and may appoint national advisory committees to serve without compensation. Such committees shall include representatives of employers, representatives of labor, educators, and officers of other executive departments, with the consent of the head of any such department.

(Aug. 16, 1937, ch. 663, § 2, 50 Stat. 665.)

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in title 38 sections 3672, 3687.

§ 50b. Appointment of employees

The Secretary of Labor is authorized to appoint such employees as he may from time to time find necessary for the administration of this chapter, with regard to existing laws applicable to the appointment and compensation of employees of the United States.

(Aug. 16, 1937, ch. 663, § 3, 50 Stat. 665; July 12, 1943, ch. 221, title VII, 57 Stat. 518.)

CODIFICATION

Proviso authorizing employment of certain persons in the division of apprentice training of National Youth Administration, was omitted in view of abolition of that agency by act July 12, 1943.

Provision formerly in this section relieved National Youth Administration, after August 16, 1937, of responsibility for promotion of labor standards of apprenticeship, and directed transfer of records and papers to Department of Labor.

CHAPTER 5—LABOR DISPUTES; MEDIATION AND INJUNCTIVE RELIEF

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| Sec. | |
| 51. | Repealed. |
| 52. | Statutory restriction of injunctive relief. |
| 53. | "Person" or "persons" defined. |

§ 51. Repealed. Pub. L. 89-554, § 8(a), Sept. 6, 1966, 80 Stat. 642

Section, act Mar. 4, 1913, ch. 141, § 8, 37 Stat. 738, related to mediation in labor disputes and the appointment of commissioners of conciliation. See section 172 of this title.

§ 52. Statutory restriction of injunctive relief

No restraining order or injunction shall be granted by any court of the United States, or a judge or the judges thereof, in any case between an employer and employees, or between employers and employees, or between employees, or between persons employed and persons seeking employment, involving, or growing out of, a dispute concerning terms or conditions of employment, unless necessary to prevent irreparable injury to property, or to a property right, of the party making the application, for which injury there is no adequate remedy at law, and such property or property right must be described with particularity in the application, which must be in writing and sworn to by the applicant or by his agent or attorney.

And no such restraining order or injunction shall prohibit any person or persons, whether

singly or in concert, from terminating any relation of employment, or from ceasing to perform any work or labor, or from recommending, advising, or persuading others by peaceful means so to do; or from attending at any place where any such person or persons may lawfully be, for the purpose of peacefully obtaining or communicating information, or from peacefully persuading any person to work or to abstain from working; or from ceasing to patronize or to employ any party to such dispute, or from recommending, advising, or persuading others by peaceful and lawful means so to do; or from paying or giving to, or withholding from, any person engaged in such dispute, any strike benefits or other moneys or things of value; or from peaceably assembling in a lawful manner, and for lawful purposes; or from doing any act or thing which might lawfully be done in the absence of such dispute by any party thereto; nor shall any of the acts specified in this paragraph be considered or held to be violations of any law of the United States.

(Oct. 15, 1914, ch. 323, § 20, 38 Stat. 738.)

FEDERAL RULES OF CIVIL PROCEDURE

Injunctions, see rule 65, Title 28, Appendix, Judiciary and Judicial Procedure.

CROSS REFERENCES

Applicability of this section and section 53 of this title to the insurance business, see sections 1011 to 1015 of Title 15, Commerce and Trade.

District courts to have jurisdiction to issue writs of injunction to compel compliance or restrain violation of an order of Interstate Commerce Commission, see sections 1336, 2321 et seq. of Title 28, Judiciary and Judicial Procedure.

Jurisdiction of courts in matters affecting employer and employee, see section 101 et seq. of this title.

Transporting strikebreakers, penalty, see section 1231 of Title 18, Crimes and Criminal Procedure.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 53, 186 of this title; title 18 section 1951; title 42 section 2135; title 47 section 606.

§ 53. “Person” or “persons” defined

The word “person” or “persons” wherever used in section 52 of this title shall be deemed to include corporations and associations existing under or authorized by the laws of either the United States, the laws of any of the Territories, the laws of any State, or the laws of any foreign country.

(Oct. 15, 1914, ch. 323, § 1, 38 Stat. 730.)

CODIFICATION

Section is based on the 3d par. of section 1(a) of the Clayton Act (Oct. 15, 1914, ch. 323, as amended by section 305(b) of Pub. L. 94-435, Sept. 30, 1976). Section 1 of the Clayton Act is classified in its entirety to section 12 of Title 15, Commerce and Trade.

FEDERAL RULES OF CIVIL PROCEDURE

Injunctions, see rule 65, Title 28, Appendix, Judiciary and Judicial Procedure.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in title 42 section 2135.

CHAPTER 6—JURISDICTION OF COURTS IN MATTERS AFFECTING EMPLOYER AND EMPLOYEE

Sec.

- 101. Issuance of restraining orders and injunctions; limitation; public policy.
- 102. Public policy in labor matters declared.
- 103. Nonenforceability of undertakings in conflict with public policy; “yellow dog” contracts.
- 104. Enumeration of specific acts not subject to restraining orders or injunctions.
- 105. Doing in concert of certain acts as constituting unlawful combination or conspiracy subjecting person to injunctive remedies.
- 106. Responsibility of officers and members of associations or their organizations for unlawful acts of individual officers, members, and agents.
- 107. Issuance of injunctions in labor disputes; hearing; findings of court; notice to affected persons; temporary restraining order; undertakings.
- 108. Noncompliance with obligations involved in labor disputes or failure to settle by negotiation or arbitration as preventing injunctive relief.
- 109. Granting of restraining order or injunction as dependent on previous findings of fact; limitation on prohibitions included in restraining orders and injunctions.
- 110. Review by court of appeals of issuance or denial of temporary injunctions; record.
- 111, 112. Repealed.
- 113. Definitions of terms and words used in chapter.
- 114. Separability.
- 115. Repeal of conflicting acts.

CHAPTER REFERRED TO IN OTHER SECTIONS

This chapter is referred to in sections 160, 178, 186 of this title; title 18 section 1951; title 42 section 2000e-5; title 49 section 14103.

§ 101. Issuance of restraining orders and injunctions; limitation; public policy

No court of the United States, as defined in this chapter, shall have jurisdiction to issue any restraining order or temporary or permanent injunction in a case involving or growing out of a labor dispute, except in a strict conformity with the provisions of this chapter; nor shall any such restraining order or temporary or permanent injunction be issued contrary to the public policy declared in this chapter.

(Mar. 23, 1932, ch. 90, § 1, 47 Stat. 70.)

SHORT TITLE

Act Mar. 23, 1932, ch. 90, 47 Stat. 70, which enacted this chapter, is popularly known as the “Norris-LaGuardia Act”.

FEDERAL RULES OF CIVIL PROCEDURE

Injunctions, see rule 65, Title 28, Appendix, Judiciary and Judicial Procedure.

CROSS REFERENCES

Civil actions for prevention of unlawful employment practices, provisions of this chapter not applicable to, see section 2000e-5 of Title 42, The Public Health and Welfare.

Labor-Management Relations, see section 141 et seq. of this title.

Orders of National Labor Relations Board, see section 160 of this title.

Public policy, see section 102 of this title.